IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE EIGHTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

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WRIT PETITION NO : 15353 of 2005

Between:

1 M.Narendra Kumar, s/o Tippanna, Occ: Lecturer,
r/o Janapriya Towers, Huda Complex, Saroornagar, R.R.District.
2 Sunki Reddy Amarendra Reddy, s/o Narsimha Reddy, Occ: Business,
r/o Chinthapally Village, Peddavoora Mandal, Nalgonda District.
3 Sunki Reddy Jayalaxmi, w/o S.Narsimha Reddy, Occ: House wife,
r/o Plot No.76/Cs, Ravindranagar, Habsiguda, Hyderabad.
4 B.Ramesh Kumar, s/o B.Shambhu Linga Reddy, Occ: Business,
r/o Adarshnagar, Nagole, R.R.District.
5 Kumbam Narsimha, s/o K.Narayana, Occ: Employee,
r/o Urumadla Village, Chityal Mandal, Nalgonda District.
6 E.Srinivas, s/o E.Yadaiah, Occ: Business,
r/o Sitaramnagar Colony, Bairamalguda, R.R.District.

..... PETITIONERS

AND

1 The State of A.P., represented by its Special Chief Secretary to the Revenue Department, Secretariat, Hyderabad.
2 The District Collector, Ranga Reddy District, Khairatabad, Hyderabad.
3 The District Registrar, Stamps and Registration, Ranga Reddy District.
4 The Sub-Registrar, Champapet, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ or order or direction more particularly one in the nature of Writ of Mandamus declaring that the action of the respondent No.4 in not registering and releasing the petitioners sale deeds as bad, arbitrary, illegal discriminatory, violative of principles of natural justice and contrary to G.O.Ms. No. 807 Revenue (Regn I) Dept dated 13-10-2004 and consequently direct the respondent No. 4 to release the

sale deeds of the petitioners and after due registration of their plots.

Counsel for the Petitioners: MR.P.VENKATESWAR RAO

Counsel for the Respondents: G.P. FOR REVENUE/STAMPS AND REGISTRATION

The Court at the stage of admission made the following:

ORAL ORDER:

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

2. This Writ Petition is filed questioning the action of the 4th respondent-Sub-Registrar, Champapet, Ranga Reddy District, in not registering and releasing the sale deeds of the petitioners as per G.O.Ms.No.807, Revenue (Registration-I) Department, dated 13.10.2004, as illegal, arbitrary, discriminatory, violative of principles of natural justice and contrary to G.O.Ms.No.807, dated 13.10.2004 and consequently, to direct the 4th respondent to release the sale deeds of the petitioners after due registration of their respective plots.

3. The petitioners contend that they purchased certain residential plots in S.Nos.57 to 60, situated at Karmanghat village, Saroornagar Mandal, Ranga Reddy District. They paid the requisite registration fee and submitted their sale deeds to the 4th respondent for registration. But, the 4th respondent refused to register the sale deeds on the ground that the State Government had issued G.O.Ms.No.751, dated 12.12.2001, wherein it was declared that registration of documents of immovable property in the said survey numbers was opposed to public policy. All the Sub-Registrars were directed not to register any sale deeds pertaining to the said survey numbers and to pass refusal orders. Subsequently, Government issued G.O.Ms.No.807, dated 13.10.2004 under sub-section (1) of Section 22-A of the Registration Act, 1908, denotifying the earlier notification issued in G.O.Ms.No.751, dated 12.12.2001 in respect of the lands situated in the said survey numbers.

4. It is the case of the petitioners that in the light of G.O.Ms.No.807, dated

13.10.2001, the objections raised by the 4th respondent on the basis of G.O.Ms.No.751, dated 12.12.2001, does not exist. The petitioners placed reliance on the judgment of this Court in WP.No.11805 of 2005, dated 7.6.2005, wherein this Court directed the respondents to release the documents presented by the petitioners for registration without raising any objection on the basis of the said GO.Ms.No.751, dated 12.12.2001. However, this Court made it clear that the order passed in WP.No.11805 of 2005, dated 7.6.2005 did not disable the registering authority to withhold the registration of documents, if there were some other objections for the registration of the documents, other than on the basis of GO.Ms.No.751, dated 12.12.2001 and if there be other objections, the registering authority was directed to communicate such objections to the petitioners.

5. Accordingly, this Writ Petition is also disposed of in terms of the order passed in WP.No.11806 of 2005, dated 7.6.2005 with the following directions:

The 4th respondent shall release the documents presented by the petitioners for registration without raising any objections on the basis of GO.Ms.No.751, dated 12.12.2001. The registering authority, however, is not disabled from withholding registration if there are some other objections to the registration of the documents other than on the basis of GO.Ms.No.751, dated 12.12.2001. If there be other objections, the registering authority shall communicate such objections to the petitioners.

7. The Writ Petition is disposed of accordingly. No costs.

18.7.2005

SSR

To

1 The State of A.P., represented by its Special Chief Secretary to the Revenue Department, Secretariat, Hyderabad.

2 The District Collector, Ranga Reddy District, Khairatabad, Hyderabad.
3 The District Registrar, Stamps and Registration, Ranga Reddy District.
4 The Sub-Registrar, Champapet, Hyderabad.

5 2 CCs to G.P. for Revenue, High Court of A.P. Hyderabad. (OUT)

6 2 CD copies

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